

TOWN OF TYNGSBOROUGH

Office of the Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

APPROVED

Board of Selectmen Meeting Minutes

Monday, May 23, 2011 at 6:00 P.M.

Community Room, Town Offices, 25 Bryant Lane

Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectwoman Elizabeth Coughlin, Selectman Allen Curseaden, Selectman Corliss Lambert

Staff Present: Michael Gilleberto, Town Administrator, Therese Gay, Admin Assistant

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

1. 6:00 PM Open Meeting and Pledge of Allegiance

The Chairman called the meeting to order, the Pledge of Allegiance was said; the Clerk read the agenda and the Board was introduced.

2. Old Business

• Frost Road Park Policy

The Board reviewed the final revised policy. There was some discussion on the two paragraphs that dealt with minors and the number of children supervised by adults; and the issue of the park being for residents only. One resident voiced his opposition to the resident only clause he feels that everyone should have access. The Board will leave the policy as is for now and will revisit the policy if change is needed. The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Lambert to approve the Frost Road Park regulation as written and reviewed by Town Counsel.

• Building Usage Policy

The Board has not received the policy from Town Counsel as this date.

3. New Business

• Precinct Map - Review and Approve

The Town Clerk has been working on the revisions on the description of the precinct maps for the town. She had submitted them to the State on Thursday and they have been returned today. The redrawing was a result of the Federal Census numbers. The maps were revised to keep the east side of the river residents voting on the east side and all of the west side residents voting on the west side. Revision 2 is the final product. If approved by LDC the schedule will be effective December 31, 2011. The first election in March of 2012, the date is already built in the school calendar as a professional day and school will be closed. The Board thanked the Town Clerk for her hard work on the cost saving changes. The Board voted 5-0 on a motion by Selectman Lambert, second by Selectman Jackson to approve the revision 2 as the precinct map modified by the State.

• Animal Control RFP - Review and Approve

The Board reviewed the Animal Control RFP at this time the Town has a contract with the Town of Westford for ACO service for Tyngsborough. The Board did appoint an Animal Inspector until June 30, 2011. The Administrator has suggested a committee of three to review the contract. The Board discussed further the contents of the RFP. The discussions were about the fees for the disposal of animals, boarding fees and to keep in touch with no kill shelters that has adoption programs. The Board would also like to see a requirement for ID chips. The Administrator will add the fees

structure and the ID chip to the RFP. The Selectmen want to put out the RFP, this would give the town better control over the animals. The Board voted 5-0 on motion by Selectman Lambert, second by Selectwoman Coughlin for discussion to approve the RFP as printed. The Board discussed on the inclusion of the ID chips and discussion on including Animal Inspection in the RFP. The Board voted 5-0 on a motion by Selectman Lambert, second by Selectman Jackson on amending the motion to include and search for ID chips and dealing with wild animals.

4. 6:30 P.M. Joint Meeting with the Finance Committee

The Finance Committee is already in session. The Board and Committee will review the remaining articles and vote to recommend or not to recommend.

The School Committee voted at their meeting of 5/16/2011 to withdraw articles 22 requesting monies to upgrade wireless networks, 23 requesting monies to upgrade the bleachers at HS Pierce Field, and 24 requesting monies to reduce the athletic user fees, transportation fees, and curriculum replacement cycle. The Finance Committee voted 4-0 on a motion by Member Mullin, second by Member Geyer to accept the withdrawal. The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Lambert to accept the removal of Articles 22, 23, and 24 by the School Committee.

The Board and Finance Committee discussed the use of free cash for FY2012 budget. The Capital Asset Management Committee has forward three recommendations to use the \$200,000 to offset the borrowing for replacement of Engine 7, the Treasurer due to a recalculation by the retirement board has a \$20,000 saving. The Finance Committee voted 4-0 on a motion by Member Mullin, second by Member Geyer to recommend the \$200,000 for the bonding of a new fire truck. The Board voted 5-0 to accept the Capital Management Report as printed

- **Annual and Special Town Meeting Warrant**

- **Review Warrant Articles**

The Finance Committee voted 4-0 on a motion by Member Mullin, second by Member Geyer to review the warrant articles.

Articles 10 to 13 to leave on the warrant or will be withdrawn on town meeting floor.

Article 16 The Treasurers standard language for bond agreement. The Finance Committee voted 4-0 on a motion by Member Mullin, second by Member Geyer to recommend. The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Lambert to recommend.

Articles 23 and 24 Lease the Early Childhood Center to the Merrimack Special Education Collaborative and to set up a revolving account for fees collected to be used to maintain the building. The Finance Committee voted 4-0 on a motion by Member Mullin, second by Member Geyer to recommend the articles as written. The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Lambert to recommend as written. Note – these articles 23 and 24 were renumbered on the final town meeting warrant to 24 and 25.

Article 25 To accept of a donation by a contractor. The Finance Committee voted 3-1 on a motion by Member Mullin, second by Member Geyer to not recommend this article. The Board voted 4-1 on a motion by Selectwoman Coughlin, second by Member Lambert to recommend accepting the gift. The Finance Committee voted 4-0 on a motion by Member Mullin, second by Member Geyer to adjourn their meeting. The Committee adjourned at 8:05 PM.

Article 26 the national grid easement request. The Board will make recommendation on town meeting floor. The Board will make recommendation on articles 27 right to farm, 28 agricultural commission and 29 the wind by-law on town meeting floor. The Board voted 5-0 on a motion by Selectman Lambert, second by Selectwoman Coughlin to keep articles 26, 27, 28 and 29 as a place holder on warrant.

- **Sign the Annual and Special Town Meeting Warrant and**

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Curseaden to sign the Annual and Special Town Meeting Warrants.

- **Vote to Post the Annual and Special Town Meeting Warrant**

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Curseaden to post the Annual and Special Town Meeting Warrants.

- **FY 2012 Budget**

The FY 2012 budget is posted on the web site.

5. Citizen/Business Time – No one came forward this evening.

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

6. Pending Meeting Minutes

- **Regular Session**

- **February 28, 2011 (revision completed)**

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectwoman Coughlin to accepted the minutes of Monday February 28, 2011.

- **April 20, 2011(approved)**
 - **April 25, 2011(approved)**
 - **April 26, 2011(not completed)**
 - **April 29, 2011(not completed)**
 - **May 2, 2011 (not completed)**
 - **May 9, 2011(not completed)**

- **Executive Session**

- **April 20, 2011(approved)**
 - **April 25, 2011(approved)**

7. Correspondence

Correspondence is posted at www.tyngsboroughma.gov with approved meeting minutes, per the requirements of the Massachusetts Open Meeting Law.

The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Curseaden for discussion to accept the correspondence as read. Discussion on the request by a paranormal group asking to investigate paranormal activity at the old town hall, the Administrator will review any liability issues with Town Counsel.

8. Selectmen's Reports

- Selectman Coughlin – Energy and Environmental Affairs/Licenses/Insp/Utilities

The Town has received a 75% reimbursement from FEMA. NMCOG hiring a planner could be a resource for us for the exit 36 project. The EEAC front projects are ongoing. There will be a stretch code seminar on June 22, 11 at 8AM coordinating with the State Office.

- Selectman Reault – Northern Middlesex Council Of Government

NMCOG has hired a planner and will be able to rely on the services they provide.

- Selectman Jackson – Insurance Committee/Meeting Minute Status

The Insurance Committee is waiting for some information. He also asked about the storm reimbursement. The Administrator reimbursement submitted to FEMA reimbursement in June for \$50,000, the revenue will be certified in June of 2011.

- Selectman Curseaden –

Attended the preconstruction meeting for the Pawtucket blvd relocation, the Town had a show of force and will have an on site meeting in June.

- Selectman Lambert –
- Would like to see more communications between Boards and Committees.

9. Town Administrator's Reports

The Administrator has received 5 applications for the Senior Tax Work-off Program. Will proceed and assign the applicants to the departments. The applicants will work 94 hours. The Board voted 5-0 on a motion by Selectman Jackson, second by Selectwoman Coughlin to recommend the five candidates as presented.

10. Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- Collective Bargaining
- Litigation

The Board voted on a motion by Selectman Curseaden, second by Selectman Lambert to enter into Executive Session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations as an open meeting may have a detrimental effect on such subject matters and to return to open session only to adjourn. Roll Call Vote: Selectman Lambert, yes; Selectman Curseaden, yes; Selectwoman Coughlin, yes; Selectman Jackson, yes; Selectman Reault, yes. The Board entered into executive session at 8:40 P.M.

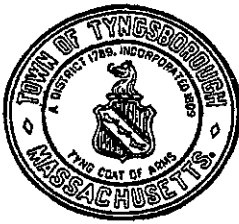
11. Adjournment

The Board voted unanimously on a motion by Selectman Lambert, second by Selectman Jackson to adjourn the meeting. The meeting adjourned at 11:15 P.M.

Respectfully Submitted

Therese Gay

Approved on *Monday August 08, 2011*



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- **Building Usage Policy**

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- **Animal Control RFP – Review and Approve**

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 - **Review Warrant Articles**
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- **FY 2012 Budget**

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- Selectman Jackson – Insurance Committee/Meeting Minute Status
- Selectman Curseaden –
- Selectman Lambert -

9. Town Administrator's Reports

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

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- Collective Bargaining
- Litigation

11. Adjournment

Future Meetings

Selectmen's Meeting, Monday, June 13, 2011 at 6:00 PM at the Town Offices

Annual and Special Town Meeting

Tuesday, June 7, 2011

7PM

Tyngsborough Elementary School

205 Westford Road.

Board of Selectmen Correspondence - Week of May 16, 2011

[illegible]